

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

LUIS AURELIO MARTORELL
CARDONA
DEBTOR

ALLIED FINANCIAL, INC.
Movant

Vs.

LUIS AURELIO MARTORELL
CARDONA
Respondent

CASE NUMBER: 12-09064-MCF
CHAPTER 13

11 USC 362(d)(4)

Request for relief of stay

MOTION TO INFORM AND REQUEST HEARING ON MOTION

FOR RELIEF OF STAY UNDER 362

TO THE HONORABLE COURT:

COMES NOW, Allied Financial, Inc. ("Allied"), through the undersigned attorney, and very respectfully STATES, ALLEGES AND PRAYS:

1. On December 14, 2012, the appearing movant filed a Motion For Relief of Stay. Docket 22.
2. On January 18, 2013, Allied filed a Motion to Submit Documents, whereby a copy of supporting documents were submitted. Docket #44.
3. On the date scheduled for the Final Hearing on the Motion for Relief of Stay filed by Allied, January 22, 2013, the Debtor

and Allied agreed to file an Stipulation within 30 days, to provide Allied with an adequate protection payment in the monthly amount of \$4,000.00 to avoid having Allied pursue lifting of the stay. In addition, the Stipulation would provide that the Debtor agreed to allow Allied to get the property appraised by an appraiser selected by Allied and to cooperate in the process by allowing the appraiser selected by Allied.

4. As of today, the Stipulation has neither been signed nor approved by debtor's counsel, even when the proposed Stipulation was sent to the debtor's counsel more than a week before the due date for its filing. See Exhibit 1.
5. Since all the efforts to obtain from the Debtor a response to the proposed Stipulation has been exhausted without success, it is hereby requested to this Honorable Court to schedule the Final Hearing on Allied's Motion for Relief of Stay.

WHEREFORE, Allied respectfully requests to this Honorable Court to take notice of all of the above and schedule the Final Hearing on the Motion for Relief of Stay filed by Allied on December 14, 2012.

I HEREBY CERTIFY: That on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will automatically send notification of such filing to all appearing parties in the above captioned bankruptcy proceeding and to all interested parties according to the master address list. Also, a

copy of this Motion is been sent via regular mail to the Debtor, Luis Aurelio Martorell Cardona, at Urb. Mansiones de Villanova, Street BD 1-19San Juan, Puerto Rico 00926, to the Debtor's attorney, Enrique Almeida and Zelma Dávila, P.O. Box 191757, San Juan, Puerto Rico 00919-1757, to the Trustee José Carrión Morales, P.O. Box 9023884, San Juan, Puerto Rico 00612 and to the *U.S. Trustee* Monsita Lecaroz Arribas, Office of the US Trustee (UST), Ochoa Building 500 Tanca Street, Suite 301, San Juan, PR 00901.

In San Juan, Puerto Rico, this 1st day of March, 2013.

/s/Susana Castro Cintrón
SUSANA B. CASTRO CINTRON
USDC-PR No. 219001
128 F.D. Roosevelt Ave.,
San Juan, Puerto Rico 00918
Tel. (787) 753-1212
Fax. (787) 753-1541
sbc@centennialpr.net